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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,787	11/04/2003	Koichi Inoue	1163-0481P	4003
2292	7590	06/10/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			TO, TUAN C	
			ART UNIT	PAPER NUMBER
			3663	

DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/699,787

Applicant(s)

INOUE, KOICHI

Examiner

Tuan C To

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/04/2003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yagyu et al. (U.S. 5899955A) and in view of Link (U.S. 5184303A).

With respect to claim 1, the U.S. reference No. '955A to Yagyu et al. has been cited as teaching a navigation system and method, comprising: map data storage mean (6) and the output data generating device (7), which are shown in figure 1 of Yagyu et al, for generating the map region is near to the position of the vehicle (Yagyu et al, column 8, lines 63-67; column 9, lines 1-7). Yagyu et al. also teach that the map information can be shift from the lower hierarchical level to the upper hierarchical level (Yagyu et al, figure 6B, figure 16).

Yagyu et al. do not disclose the following: "input means for specifying a bypass region to bypass traffic of a vehicle in response to an input operation; and detour searching means for searching a route that detours the bypass region when the bypass

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region input by the input means is included within the coverage of the map information belonging to a hierarchy acquired by the map information acquiring means".

The secondary reference to Link is directed to a typical navigation device for instructing driver to follow the desired route to specified destination. The Link patent includes the input devices such as the keyboard (11), the microphone (12) (Yagyu et al. figure 1, keyboard 11, microphone 12) for specifying the "detour data" in order to find a desired route in response to an input operation. As explained in the Link patent, the computer (13) coupled to the memory storage devices (23, 24, 25) to retrieve a detour route stored in said storage devices (Link, column 3, lines 46-65). Link further discloses that the screen display (17) may select one option from the "detours" screen. For example, user is able to select the geographic region detour (Link, figure 5 and figure 3A).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Yagyu et al. to include the teaching of Link in order to either search a guided route to be guided from a current vehicle position to a destination or search a detour route for detouring a detour segment over the part of the guided route. Also, the combination of Yagyu et al. and Link is provided for searching a detour routes located within a region that covers the current position of the vehicle and a specified destination.

With regard to claim 2, the Link patent provides the input devices such as the keyboard (11) and microphone (12) (Link, figure 1, 11, 12) for selecting a type of a route to be detoured.

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With regard to claim 3, Link discloses that one user is able to choose one kind of detours from the "DETOURS" screen as shown in figure 5.

With regard to claims 4 and 5, Link discloses that the "DETOURS" screen displays four types of detour format. One user is able to select one type of detour formal as requested.

### ***Conclusions***

The prior art made of record, which are listed in PTO-892, and not relied upon are considered pertinent to applicant's disclosure includes the following: Utsumi's, Watanabe's, and Harada's.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (703) 308-6273. The examiner can normally be reached on from 8:00AM to 5:00PM.

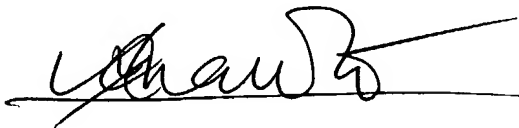
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (703) 305-8233.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner,

A handwritten signature in black ink, appearing to read 'Tuan C To', is written over a horizontal line.

Tuan C To

Date: May 30, 2004